

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No.	SP02-274	Total Pages	2
First Named Inventor or Application Identifier: DOWNIE JOHN D			
Title : METHOD FOR ESTIMATING BIT ERROR RATIOS WITHIN AN OPTICAL COMMU			
Express Mail Label No.	EV327189201US		

CERTIFICATE OF EXPRESS MAIL UNDER 37 CFR 1.10:

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is Addressed to Mail Stop Patent Application, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on 10/2/03
(Date)

Signature R. Alden

"EXPRESS MAIL" Mailing Label No. EV327189201US

ADDRESS TO:
Mail Stop Patent Application
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

19270 U.S.P.T.O.
10/677450
100203

1. * Fee Transmittal Form
(Submit an original and a duplicate for fee processing)

2. Specification [Total Pages 10]
(preferred arrangement set forth below)

- Descriptive title of the Invention
- Cross References to Related Applications
- Statement Regarding Fed sponsored R&D
- Reference to Microfiche Appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

3. Drawing(s) (35 U.S.C. § 113) [Total Sheets]

4. Oath or Declaration [Total Pages 2]

- a. Executed (original or copy)

- b. Copy from a prior application (37 C.F.R. § 1.63(d))
(for continuation/divisional with Box 16 completed)

- i. **DELETION OF INVENTOR(S)**

Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

5. Microfiche Computer Program (Appendix)

6. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)

- a. Computer Readable Copy
- b. Paper Copy (identical to computer copy)
- c. Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

- 7. Assignment Papers (cover sheet & document(s))
- 8. 37 C.F.R. § 3.73(b) Statement Power of Attorney (when there is an assignee)
- 9. English Translation Document (if applicable)
- 10. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
- 11. Preliminary Amendment
- 12. Return Receipt Postcard (MPEP 503)
(should be specifically itemized)
- 13. Certified Copy of Priority Document(s) 15. Other:
- 14. (if foreign priority is claimed)

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

Continuation Divisional. Continuation-in-part (CIP) of prior application No

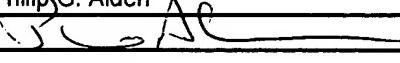
Prior application information: Examiner:

Group / Art Unit:

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label 22928 or Correspondence address below

NAME					
ADDRESS	Corning Incorporated, SP-TI-3-1				
CITY	Corning	STATE	NY	ZIP CODE	14831
COUNTRY	USA	TELEPHONE	607-974-8803	FAX	(607) 974-3848
Name (Print/Type)	Philip G. Alden		Registration No. (Attorney/Agent)	32,189	
Signature			Date	10/2/03	

PATENT APPLICATION FEE DETERMINATION RECORD
Effective October 1, 2003

Application or Docket Number

CLAIMS AS FILED - PART I

(Column 1) (Column 2)

TOTAL CLAIMS			
FOR		NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS		minus 20 =	*
INDEPENDENT CLAIMS		minus 3 =	*
MULTIPLE DEPENDENT CLAIM PRESENT			<input type="checkbox"/>

SMALL ENTITY
TYPE

RATE	FEES	RATE	FEES
BASIC FEE	385.00	OR BASIC FEE	770.00
X\$ 9=		OR X\$18=	
X43=		OR X86=	
+145=		OR +290=	
TOTAL		TOTAL	

* If the difference in column 1 is less than zero, enter "0" in column 2

CLAIMS AS AMENDED - PART II

(Column 1) (Column 2) (Column 3)

AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	Minus	**	=
Independent	*	Minus	***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM		<input type="checkbox"/>		

SMALL ENTITY

RATE	ADDI- TIONAL FEE	RATE	ADDI- TIONAL FEE
X\$ 9=		OR X\$18=	
X43=		OR X86=	
+145=		OR +290=	
TOTAL ADDIT. FEE		TOTAL ADDIT. FEE	

AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	Minus	**	=
Independent	*	Minus	***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM		<input type="checkbox"/>		

RATE
ADDI-
TIONAL
FEE

RATE	ADDI- TIONAL FEE	RATE	ADDI- TIONAL FEE
X\$ 9=		OR X\$18=	
X43=		OR X86=	
+145=		OR +290=	
TOTAL ADDIT. FEE		TOTAL ADDIT. FEE	

AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	Minus	**	=
Independent	*	Minus	***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM		<input type="checkbox"/>		

RATE
ADDI-
TIONAL
FEE

RATE	ADDI- TIONAL FEE	RATE	ADDI- TIONAL FEE
X\$ 9=		OR X\$18=	
X43=		OR X86=	
+145=		OR +290=	
TOTAL ADDIT. FEE		TOTAL ADDIT. FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."

***If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

17611 U.S. PTO
10/02/03

FEE TRANSMITTAL for FY 2003

TOTAL AMOUNT OF PAYMENT (\$) **770.00**

Complete if Known

Application Number	To Be Assigned
Filing Date	Herewith
First Named Inventor	DOWNIE JOHN D, et al.
Examiner Name	To Be Assigned
Group / Art Unit	To Be Assigned

Attorney Docket Number **SP02-274**

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **03-3325**

Deposit Account Name **Corning Incorporated**

Charge Any Additional Fees Required Under 37 C.F.R. §§ 1.16 and 1.17

2. Payment Enclosed:

Check Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	Utility filing fee	<u>770.00</u>
1002 330	Design filing fee	
1003 520	Plant filing fee	
1004 750	Reissue filing fee	
1005 160	Provisional filing fee	

SUBTOTAL (1) (\$) **770.00**

2. EXTRA CLAIM FEES

Total Claims	Extra Fee from Claims below	Fee Paid
8 - 20** =	x 18 =	00.00

Independent Claims	1 - 3** =	x 84 =	00.00
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Multiple Dependent 0 = 0.00

**or number previously paid, if greater; For Reissues, see below

Large Entity Fee Code (\$)	Fee Description
1202 18	Claims in excess of 20
1201 84	Independent claims in excess of 3
1203 280	Multiple dependent claim, if not paid
1204 84	** Reissue independent claims over original patent
1205 18	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) **00.00**

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	Surcharge - late filing fee or oath	
1052 50	Surcharge - late provisional filing fee or cover sheet	
1053 130	Non-English specification	
1812 2,520	For filing a request for reexamination	
1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840	Requesting publication of SIR after Examiner action	
1251 110	Extension for reply within first month	
1252 410	Extension for reply within second month	
1253 930	Extension for reply within third month	
1254 1,450	Extension for reply within fourth month	
1255 1,970	Extension for reply within fifth month	
1401 320	Notice of Appeal	
1402 320	Filing a brief in support of an appeal	
1403 280	Request for oral hearing	
1451 1,510	Petition to institute a public use proceeding	
1452 110	Petition to revive - unavoidable	
1453 1,300	Petition to revive - unintentional	
1501 1,300	Utility issue fee (or reissue)	
1502 470	Design issue fee	
1503 630	Plant issue fee	
1460 130	Petitions to the Commissioner	
1807 50	Petitions related to provisional applications	
1806 180	Submission of Information Disclosure Stmt	
8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	Filing a submission after final rejection (37 C.F.R. § 1.129(a))	
1810 750	For each additional invention to be examined (37 C.F.R. § 1.129(b))	
1801 750	Request for Continued Examination (RCE)	
1802 900	Request for expedited examination of a design application	

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

Completed (if applicable)

Name (Print/Type)	Philip G. Alden	Registration No. (Attorney/Agent)	32,189
Signature		Date	10/2/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**COMBINED
CERTIFICATE UNDER
37 C.F.R. § 3.73(b)
and
POWER OF ATTORNEY****Applicant(s):** Downie, et al**Serial No.:****Filed:****For:** METHOD FOR ESTIMATING BIT
ERROR RATIOS WITHIN AN
OPTICAL COMMUNICATIONS
NETWORKAssistant Commissioner for Patents
Washington, DC 20231**CERTIFICATE UNDER 37 C.F.R. § 3.73(b)**

CORNING INCORPORATED, a New York corporation, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventor(s) of the patent application identified above. A true copy of the unrecorded Assignment is attached hereto.

The undersigned has reviewed the above referenced assignment of the patent application identified above and, to the best of the undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.